

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

GREAT NORTHERN INSURANCE CO.  
As subrogee of Juan A. Rodriguez Vila and  
Iwalani Rodriguez

CIVIL NO. 11-1303 (DRD)

Plaintiff

Vs.

EL LEGADO PROPERTY MANAGEMENT  
COMPANY, INC.; EL LEGADO DE CHI CHI  
RODRIGUEZ GOLF RESORT, INC.;  
EL LEGADO DE CHI CHI RODRIGUEZ  
GOLF RESORT, (SC) SE; EL LEGADO  
HOMEOWNER'S ASSOCIATION, INC, and  
EL LEGADO CONDOMINIUM, REGIME I

Re: NEGLIGENCE, BREACH OF  
CONTRACT, & BREACH  
OF WARRANTY

Codefendants

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**MOTION TO SET ASIDE INITIAL SCHEDULING CONFERENCE**

TO THE HONORABLE COURT:

COMES NOW REAL LEGACY ASSURANCE COMPANY, INC, through the undersigned counsel and without submitting to this Honorable Court's jurisdiction, respectfully sets forth and prays:

1. This Honorable Court set the Initial Scheduling Conference in the instant case for 2/08/2012. (See Docket No. 35).
2. Plaintiff amended the complaint filed in the instant case on 1/19/2012 to bring Real Legacy Assurance Company, Inc. as defendant. (See Docket No. 42). Plaintiff is in the process of serving process upon Real Legacy Assurance Company, Inc.
3. After being served with process, Real Legacy will need at least 20 days to do its investigation about the facts alleged in the amended complaint, to be in an informed position

2.

to answer the amended complaint or otherwise plead.

WHEREFORE, it is respectfully requested from this Honorable Court, to set aside the Initial Scheduling Conference scheduled for 2/08/2012 at Docket No. 35.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 20<sup>th</sup> day of January, 2012.

*S/ ERNESTO R. IRIZARRY*  
**ERNESTO R. IRIZARRY**  
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Attorney for  
REAL LEGACY ASSURANCE COMPANY, INC.  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this same date a true and exact copy of the foregoing has been filed electronically with the Clerk of the Court via CM/ECF system which will send notification of such filing via e-mail to all the attorneys of record.

*S/ ERNESTO R. IRIZARRY*  
**ERNESTO R. IRIZARRY**

